IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Bail Appl..No. 1025 of 2007()

CMP.320/2007 of J.M.F.C.-II, MANANTHAVADY

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PETITIONER/ACCUSED

DARAPPAN,
SARVANI COLONY, PANAVALLY, THRISSILERY AMSOM,
MANANTHAVADY.

BY ADV. SRI.K.ANTONY JOSEPH

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, THIRUNELLY POLICE
STATION, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1025 OF 2007

Dated this the 21st day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in Crime No.158/2006 of Thirunelly Police Station for offences punishable under Secs.55(a) and 55(g) of the Abkari Act for having been found in possession of 1.5 liters of illicit arrack, 10 liters of wash and distilling apparatus on 28.12.2006 and who was surrendered before the Magistrate on 27.1.2007 and was remanded to judicial custody, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 28.2.2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Mananthavady and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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